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Update: Contempt of Court Benchbook (Third Edition)

CHAPTER 1

The Nature of the Contempt Power

1.4 Courts' Inherent Authority to Exercise Contempt Power

A. Statutory Provisions Illustrating Use of Courts' Contempt Powers

Effective December 27, 2005, 2005 PA 326 amended MCL 600.1701.

In "(c)" of the quoted text on page 3, remove the word "duly."

Replace the quotation of "(e)" on page 3 with the following:

(e) Parties to actions, attorneys, counselors, and all other persons for the nonpayment of any sum of money which the court has ordered to be paid.

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On page 5, replace the quotation of "(l)" with the following:

(l) The publication of a false or grossly inaccurate report of the court's proceedings, but a court shall not punish as a contempt the publication of true, full, and fair reports of any trial, argument, proceedings, or decision had in the court.

CHAPTER 5

Common Forms of Contempt of Court

5.8 Failure to Pay Money Judgment

A. Statute

Effective December 27, 2005, 2005 PA 326 amended MCL 600.1701(e). At the bottom of page 60, replace the quotation of MCL 600.1701(e) with the following:

(e) Parties to actions, attorneys, counselors, and all other persons for the nonpayment of any sum of money which the court has ordered to be paid.

Because this amendment eliminated the restriction on use of the contempt power only where execution could not be awarded, the amendment broadens the courts' authority to use the contempt power beyond those circumstances described in subsections (A)–(E).